

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
WASHINGTON, STATE OF)
)
Licensee of Private Land Mobile Radio Station)
WPKU684)
)

ORDER OF MODIFICATION

Adopted: August 24, 2010

Released: August 24, 2010

By the Deputy Chief, Policy Division, Public Safety and Homeland Security Bureau:

I. INTRODUCTION

1. By this *Order of Modification*, we modify the license of the State of Washington (Washington) for Private Land Mobile Radio (PLMR) station WPKU684 to reduce the Effective Radiated Power (ERP) of the base station, authorized under the referenced call sign, as detailed below. We take this action in furtherance of ensuring compliance with international obligations and the Commission's rules.

II. BACKGROUND

2. Washington is licensed to operate 800 MHz PLMR station WPKU684 at a fixed location in the State of Washington. Because Station WPKU684 operates in the 800 MHz band and is located within 140 kilometers of the border with Canada, it is subject to the provisions of the bilateral annex (Arrangement F) with Canada, which specifies the conditions under which 800 MHz PLMR stations may operate along the border.¹ Under Arrangement F, the ERP of stations in the border region is limited based on the height of the transmitting antenna. These power and antenna height limits are also reflected in Section 90.619(c)(3) of the Commission's rules.²

3. On May 21, 2010, the Public Safety and Homeland Security Bureau, acting under delegated authority, issued Washington an *Order Proposing Modification (OPM)* which proposed reducing the ERP of the base station licensed under call sign WPKU684 from 528 watts to 500 watts.³ The reduction in ERP proposed in the *OPM* would bring this base station into compliance with the ERP limits of

¹ See Arrangement Between the Dept. of Communications of Canada and the FCC of the United States Concerning the Use Along the US-Canada Border of the Band 806-890 MHz (Jan. 1994, addendum, Dec. 1994) (Arrangement F). See also Arrangement Between the Dept. of Communications of Canada and the FCC of the United States Concerning the Use Along the US-Canada Border of the Bands 821-824 MHz and 866-869 MHz (Sep. 1990, addendum, Dec. 1994).

² 47 C.F.R. § 90.619(c)(3).

³ See State of Washington, *Order Proposing Modification*, 25 FCC Rcd 5403 (PSHSB) (*OPM*).

Section 90.619(c)(2) of the Commission's rules and Arrangement F.⁴ Washington was afforded 30 days to protest the *OPM*.⁵

III. DISCUSSION

4. Because Washington failed to protest the proposed modifications of its license within 30 days,⁶ it is deemed to have consented to the proposed modification.⁷ Based on the record in this matter, we hereby modify the authorization for PLMR Station WPKU684, as proposed in the *OPM*, to ensure compliance with international obligations and Commission rules. *See* Attachment I.

5. ACCORDINGLY, IT IS ORDERED, pursuant to Sections 4(i) and 316 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 316, and Sections 1.87 and 90.619(c)(2) of the Commission's Rules, 47 C.F.R. §§ 1.87, 90.619(c)(2) that the licenses for Private Land Mobile Radio Service Station WPKU684, held by the State of Washington, IS HEREBY MODIFIED by reducing the Effective Radiated Power at base station location 1 from 528 watts to 500 watts as indicated in Attachment I to comply with Section 90.619(c)(2) of the Commission's rules and Arrangement F.

6. IT IS FURTHER ORDERED, that the Chief of the Licensing Branch, Policy Division, Public Safety and Homeland Security Bureau, SHALL CAUSE the records of the Commission's Universal Licensing System for Private Land Mobile Radio Service Station WPKU684 be modified consistent with this *Order of Modification*.

7. IT IS FURTHER ORDERED that this *Order of Modification* shall be sent by certified mail, return receipt requested, to State of Washington, ATTN Clallam Correction CRT Steve Hans., 1830 Eagle Crest Way, Clallam Bay, WA 98326.

⁴ *Id.* at 5404 ¶ 4.

⁵ *Id.* at 5404 ¶ 5.

⁶ *See* 47 C.F.R. § 1.87(g)(1).

⁷ *OPM* at 5404 ¶ 6.

8. This action is taken under delegated authority pursuant to Sections 0.191 and 0.392 of the Commission's Rules, 47 C.F.R. §§ 0.191, 0.392.

FEDERAL COMMUNICATIONS COMMISSION

Michael J. Wilhelm
Deputy Chief, Policy Division
Public Safety and Homeland Security Bureau

Attachment I

The maximum permitted ERP for PLMR Station WPKU684 at the location listed below is limited to the value shown in the rightmost column.

Call Sign	Location No.	Lat. (N)	Long. (W)	Licensed Frequency (MHz)	Maximum Permitted ERP (watts)
WPKU684	1	48° 09' 0.3"	123° 40' 16.7"	868.1375	500